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April 12, 2005

VIA FACSIMILE

To: Examiner Kin C. Wong Facsimile No.: (703) 872-9306
 Group Art Unit No. 2651
 U.S.P.T.O.

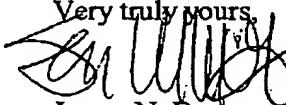
From: James N. Dresser Facsimile No.: (703) 761-2375 or 76

Re: Enclosed Third Request for Withdrawal of Finality of
 Rejection, Amendment under 37 C.F.R. §1.116, Notice of
 Appeal and Three-month Extension of Time
 U.S. Patent Application Serial No. 09/839,539
 Our Reference: FUJI.004

Dear Examiner Wong:

Enclosed is a Third Request for Withdrawal of Finality of Rejection, Notice of Appeal and Amendment under 37 C.F.R. §1.116, which is responsive to the October 12, 2004 Office Action, which should place the above-referenced case in condition for allowance.

Thank you in advance for your consideration on this case.

Very truly yours,

 James N. Dresser

JND/kks
 Enclosure

Total No. of Pages Transmitted: 25

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.
PU01-0171

In Re Application Of: Kaneko, et al.

Application No. 09/839,539	Filing Date April 23, 2001	Examiner Wong, Kin C.	Customer No. 21254	Group Art Unit 2651	Confirmation No. 2127
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Invention: **DISK DRIVE**

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APR 12 2005

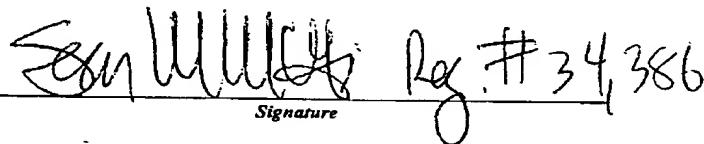
COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **October 12, 2004** finally rejecting Claim(s) **1-9, 11-15, and 17-24**.

The fee for this Notice of Appeal is: **\$500.00**

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0481
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: **April 12, 2005**

James N. Dresser, Esq.
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CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
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(Date)

Signature of Person Mailing Correspondence

<i>Typed or Printed Name of Person Mailing Correspondence</i>

P13LARGE/REV08

Serial No. 09/839,539
Docket No.
PU01-0171
FUJI.004

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Third Request for Withdrawal of Finality of Rejection, Amendment Under 37 C.F.R. §1.116 and Three-month Extension of Time by facsimile with the United States Patent and Trademark Office to Examiner Kin C. Wong, Group Art Unit 2651 at fax number (703) 872-9306 this 12th day of April 2005.



James N. Dresser
Registration No. 22,973